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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,849	12/17/2001	George Wu	504-002	4373

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BEESON SKINNER BEVERLY, LLP  
ONE KAISER PLAZA  
SUITE 750  
OAKLAND, CA 94612

EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/025,849	WU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Simon Sing	2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12, 19-26, 28, 31-37, 40 and 45-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen US 5,991,737.

1.1 Regarding claims 1, 28 and 31, Chen discloses a system and a method for providing automated consumer response to inquiries regarding public broadcasting and advertisements, comprising:

a computer processing system 22 (figures 1 and 2);

a content database (not shown) accessible by the computer processing system 22 having stored responses corresponding to a plurality of consumer demand stimuli in at least to content categories (broadcasting and billboard advertisement) of demand stimuli (column 1, lines 4-11, 51-58; column 3, lines 35-41, 47-54, 65-67; column 4, lines 1-7, 42-60);

the computer process system 22 having a real-time response system for receiving inquiries form a consumer through a telephone identifying the content category (column 3, lines 21-41; column 4, lines 9-17); and

the computer processing system 22 having means for correlating consumer inquiries received with response stored in the database so that the real-time response system returns to the consumer a real-time response (column 3, lines 47-64; column 4, lines 18-32).

1.2 regarding claim 2, Chen teaches that the content categories of demand stimuli includes external demand stimuli (column 3, lines 21-41).

1.3 Regarding claim 3, Chen teaches broadcasting stimuli (column 3, lines 21-35).

1.4 Regarding claim 4, Chen teaches broadcasting stimuli includes music and advertisements (column 3, lines 21-35).

1.5 Regarding claims 5 and 6, Chen teaches printed advertisement (billboard advertisement) as stated above.

1.6 regarding claim 7, Chen teaches broadcasting advertisements and billboard advertisements (column 3, lines 21-41).

1.7 Regarding claim 8, Chen teaches using a telephone to dial (identify) the content stimuli, and/or through an interactive voice response (IVR) system (column 3, lines 21-35; column 4, lines 61-66).

1.8 Regarding claim 9, Chen teaches an IVR which inherently recognizes keywords.

1.9 regarding claim 10, Chen teaches returning responses to consumers (column 3, lines 54-62, lines 4, lines 18-29).

1.10 Regarding claim 11, Chen teaches connecting a consumer with an advertiser (column 4, lines 24-32).

1.11 Regarding claim 12, Chen teaches placing an order or service (column 4, lines 24-32).

1.12 Regarding claim 19, Chen teaches using a telephone for interfacing with the computer processing system 22 (column 3, lines 19-25, 54-62).

1.13 Regarding claim 20, Chen teaches using a telephone, including touch-tone, for interfacing with the computer processing system 22 (column 3, lines 19-25, 54-62; column 4, lines 61-65).

1.14 Regarding claims 21 and 22, Chen teaches using a computer for interfacing with the computer processing system 22 (column 3, lines 21-35).

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1.15 Regarding claim 23, Chen teaches using a telephone (including touch-tone), a pager, a computer, a cellular phone for interfacing with the computer processing system 22 (column 3, lines 19-31; column 4, lines 61-66).

1.16 Regarding claim 24, Chen teaches selecting broadcasting advertisements or billboard advertisements (column 3, lines 21-41; column 4, lines 9-17).

1.17 Regarding claim 25, Chen teaches supplying the computer processing system 22 with category information, such as radio station ID or billboard ID (column 3, lines 21-41; column 4, lines 9-17).

1.18 Regarding claim 26, Chen teaches interfacing with a telephone and a interactive voice response (IVR) system (column 3, lines 19-31; column 4, lines 61-66).

1.19 Regarding claims 32-35, Chen teaches identifying a broadcasting advertisement or a billboard (non-broadcasting) advertisement (column 3, lines 21-41; column 4, lines 9-17).

1.20 Regarding claim 36, Chen teaches that a consumer identities the demand stimuli includes broadcasting music and broadcasting advertisements, and the date and time of the inquiry (column 3, lines 21-35; column 5, lines 42-49).

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1.21 Regarding claim 37, Chen teaches sending a product identified to a consumer (column 3, lines 21-35; column 4, lines 24-29).

1.22 Regarding claim 40, Chen teaches that the demand stimuli includes advertisement (column 3, lines 32-41) and returning the response relating to the advertisement (column 4, lines 24-29).

1.23 Regarding claim 45, Chen teaches connecting a consumer to a service provider (column 4, lines 30-32).

1.24 Regarding claims 46-48, Chen teaches an interactive voice response system which inherently includes a voice recognition system for recognizing keywords.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 14, 38, 39, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US 5,991,737 in view of Palmer et al. US 6,505,773.

Chen teaches a consumer's response to an advertisement, including obtaining benefits (column 4, lines 24-29), or logging onto an advertiser's web site (column 5, line 66 to column 6, line 7), but fails to teach that the response for obtaining benefits includes a request for a redeemable electronic coupon.

However, Palmer teaches that after viewing an advertisement, a consumer user may request a redeemable electronic coupon from an advertiser's web page (figure 2; column 3, lines 53-67; column 4, lines 1-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Chen's reference with the teaching of Palmer, so that a customer would have responded to an advertisement by requesting a redeemable electronic coupon, because such a modification would have enabled an advertiser to use electronic coupons to attract viewers of its advertisement.

3. Claims 15-18, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US 5,991,737 in view of Cohen US 6,060,993.

3.1 Regarding claims 15 and 29, Chen teaches a consumer's response to a billboard advertisement, and the response includes purchasing advertised products. Chen fails to specifically teach that the billboard advertisement is about a movie.

However, Cohen teaches mobile billboard advertisements, and the advertisements include movies showing at a local movie theater (column 1, lines 30-39).



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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Chen's reference with the teaching of Cohen, so that a customer would have responded to a movie advertisement by requesting information about purchasing a ticket (desire to attend a movie), because such a modification would have enabled a billboard to advertise various products and services.

3.2 Regarding claim 16, the modified Chen reference teaches attending a movie as stated above.

3.3 Regarding claim 17, Chen teaches connecting a consumer 24 with a advertiser 12 (column 4, lines 24-32).

3.4 Regarding claim 18, as stated above, a consumer's response includes the purchase of a movie ticket.

3.5 Regarding claim 30, Chen teaches using a telephone, a cellular phone and a computer for interfacing with the computer processing system 22 (column 3, lines 21-31).

4. Claims 27 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US 5,991,737 in view of Rosenberg US 6,879,963.

Chen teaches a consumer's response for purchasing an advertised product by providing an account number and received an acknowledgment about the purchase (column 4, lines 18-24). Chen further teaches using a computer for accessing an advertiser's web site (column 4, lines 66 to column 5, line 7), and placing an order which is not processed in real-time (column 5, lines 42-45), but fails to teach providing an email address to the advertiser for receiving the acknowledgment via an email message.

However, Rosenberg teaches a method and system for delivering purchase information to a customer via e-mail (column 3, lines 3-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Chen's reference with the teaching of Rosenberg, so that a customer would have provided his/her e-mail address in a response via a advertisers web site and received a purchase acknowledgment via email, because such modification would a have clarified the not real-time processing of an order stated in Chen.

5. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US 5,991,737 in view of Espejo et al. US 6,728,353.

Chen teaches that a consumer response for purchasing an advertised product and obtaining additional information through a retail source 20 (column 3, lines 44-46; column 4, lines 18-29). Chen fails to explicitly teach providing a consumer the address of the retail source 20 and the direction of how to get to the retail source 20.

However, Espejo teaches providing a customer a store location with street address and directions (column 11, lines 18-24, 44-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Chen's reference with the teaching of Espejo, so that a customer would have been provided address and direction of the retail source 20. The motivation for this modification was to provide a direction to a consumer so that the consumer would have been able to get to the retail source 20 to obtain advertised goods and/or services.

### ***Conclusion***

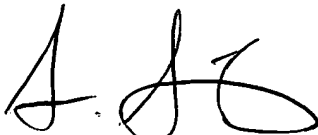
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) Tognazzini, US 5,708,478.
- b) Mankovitz, US 6,253,069.
- c) Levy et al. US 6,505,160.
- d) Henrick, US 6,507,727.
- e) Deguchi, US 6,578,047.

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- f) Crosby et al. US 6,628,928.
- g) Christensen et al. US 6,957,041.

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



Simon Sing

08/01/2006



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600